

STATE OF VERMONT  
PUBLIC SERVICE BOARD

CPG Nos. 644-R and 388

Proposed revocation of certificates of public        )  
good of Network US, Inc. and ConnectAmerica,        )  
Inc. to provide telecommunications services in        )  
the state of Vermont                                        )

Order entered: 5/18/2016

**ORDER CONCERNING PROPOSED REVOCATION OF CERTIFICATES OF PUBLIC GOOD  
OF NETWORK US, INC. AND CONNECTAMERICA, INC. TO PROVIDE  
TELECOMMUNICATIONS SERVICES**

As part of an effort to update its records, the Vermont Public Service Board (“Board”) has sought to identify companies holding certificates of public good to provide telecommunications service in Vermont that are no longer operating a business subject to the Board’s jurisdiction. The Board has reason to believe that neither Network US, Inc. (“Network US” or the “Company”) nor ConnectAmerica, Inc. (“ConnectAmerica” or the “Acquired Company”) is still operating such a business in Vermont and that, therefore, it appears that good cause exists to revoke their certificates of public good (“CPGs”).

On August 7, 1998, ConnectAmerica was issued a CPG pursuant to 30 V.S.A. §§ 102 and 231 to provide telecommunications services in Vermont (CPG No. 388). On July 11, 2001, Network US was issued a CPG pursuant to 30 V.S.A. § 231 to provide telecommunications services in Vermont (CPG No. 644-R). On September 15, 2004, in Docket 6989 the Board issued an order approving the acquisition of ConnectAmerica’s assets by Network US.

30 V.S.A. § 231(a) provides, in relevant part, that: “For good cause, after opportunity for hearing, the board may amend or revoke any certificate awarded under the provisions of this section.” 30 V.S.A. § 102(c) contains a similar provision. Condition 10 of the Company’s CPG states, in relevant part: “Network US’s Certificate shall be subject to revocation upon good

cause, including a substantial or continuous failure to abide by its material terms.” Condition 5 of ConnectAmerica’s CPG contains a similar provision.

Condition 1 of the Company’s CPG provides that “Network US is subject to the provisions of Title 30, Vermont Statutes Annotated, to the same extent as other regulated utilities.” Condition 1 of ConnectAmerica’s CPG contains a similar provision.

30 V.S.A. § 22 requires regulated utilities to file annually, on or before April 15, a report with the Vermont Department of Public Service (“DPS”) and to pay by the same date a tax of 0.0050% of gross operating revenue or \$500, whichever is greater. However, the DPS’s records reflect that Network US has not filed such an annual report or paid such a tax since 2009.

It therefore would appear that the Company and the Acquired Company are no longer operating telecommunications businesses in Vermont. Accordingly, on its own initiative, the Board proposes to revoke both companies’ CPGs unless a notice of objection to such revocation and request for hearing is filed with the Board by June 10, 2016.

If no objection or request for a hearing is filed with the Board by that date, Network US’s and ConnectAmerica’s CPGs shall be deemed to be revoked on June 10, 2016, without further action by the Board.

**SO ORDERED.**

Dated at Montpelier, Vermont, this 18<sup>th</sup> day of May, 2016.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/Margaret Cheney</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/Sarah Hofmann</u>	)	

OFFICE OF THE CLERK

FILED: May 18, 2016

ATTEST: s/Judith C. Whitney  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and Order.*